

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

**MONTERRIOUS HARRIS**

**Plaintiff,**

**V.**

**Case No. 2:23-cv-02058-JTF-tmp**

**CITY OF MEMPHIS,  
EMMITT MARTIN, III, DESMON MILLS, Jr.  
JUSTIN SMITH, DEMETRIUS HALEY,  
TADARRIUS BEAN, and JOHN DOES 1-4,**

## Defendants.

## ORDER STAYING PROCEEDINGS

The following motions to stay are before the Court: Defendant Justin Smith’s Motion to Stay Civil Case Pending Resolution of Criminal Proceedings, filed on June 26, 2023 (ECF No. 39.); Defendant Tadarrius Bean’s Motion to Stay Proceedings, filed on July 5, 2023 (ECF No. 41.); Defendant Demetrius Haley’s Motion to Stay Civil Proceedings Until Criminal Proceedings are Resolved, filed on July 7, 2023 (ECF No. 44.); and Defendant Emmitt Martin III’s Motion to Stay All Civil Proceedings as to Defendant Martin, III Pending the Resolution of the Criminal Proceedings, filed on July 7, 2023 (ECF No. 46.) On July 10, 2023, Plaintiff Monterrious Harris and Defendant the City of Memphis, each filed responses in opposition to the Defendants’ Motions. (ECF Nos. 47 & 48.)

The Court has considered the submissions of the parties, the applicable law, and the record. In balancing the relevant factors for granting a stay, a stay of these proceedings is appropriate, in the interest of justice and outweighs any prejudice that may be caused to Plaintiff. Accordingly,

Defendants' Motions to Stay are **GRANTED**. This case is **STAYED** pending resolution of the criminal proceedings against Defendants. The Defendants are ordered to confer and file with the Court a Report and Status of the pending criminal proceedings on January 31, 2024, and every six (6) months thereafter until the **STAY** is lifted.

**IT IS SO ORDERED** this 28th day of August, 2023.

*s/John T. Fowlkes, Jr.*  
JOHN T. FOWLKES, JR.  
United States District Judge